

Message Text

UNCLASSIFIED

PAGE 01 BONN 04688 161625Z
ACTION EUR-12

INFO OCT-01 IO-13 ISO-00 OES-06 SSO-00 NSCE-00 USIE-00
INRE-00 ACDA-10 CIAE-00 INR-07 L-03 NSAE-00 NSC-05
EB-08 NRC-07 FEAE-00 DODE-00 EURE-00 AID-05 CEA-01
COME-00 FPC-01 H-02 INT-05 OMB-01 PM-04 SP-02 SS-15
STR-04 TRSE-00 PRS-01 PA-02 /115 W
-----161630Z 062357 /46

O R 161611Z MAR 77
FM AMEMBASSY BONN
TO SECSTATE WASHDC IMMEDIATE 6535
INFO USMISSION EC BRUSSELS
USMISSION OECD PARIS
USMISSION IAEA VIENNA
ERDA WASHDC
ERDA GERMANTOWN

UNCLAS BONN 04688

DEPT. PASS NRC ATTN. DR. J D LAFLEUR, ASAP

E.O. 11652 N/A
TAGS: ENRG, TECH, GW
SUBJECT: COURT DECISION ABOUT CONSTRUCTION OF
NUCLEAR REACTOR AT WYHL

REF: A. TELCON LAFLEUR/MCCLELLAND MARCH 15;
B. STUTTGART 431.

1. EMBASSY INQUIRED ABOUT THE TEXT OF THE COURT
DECISION TO REVOKE THE FIRST PARTIAL CONSTRUCTION
LICENSE FOR THE NUCLEAR POWER PLANT AT WYHL.
MINISTRY OF THE INTERIOR OFFICIALS INFORMED US
THAT THE FULL TEXT WILL NOT BE AVAILABLE FOR
TWO OR THREE WEEKS BUT PROMISED TO PROVIDE US
WITH A COPY ASAP. FOLLOWING IS AN INFORMAL
TRANSLATION OF THE SUMMARY OF THE COURT DECISION
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 BONN 04688 161625Z

WHICH WAS PRESENTED TO THE PUBLIC. AT THE MOMENT
NO FURTHER OFFICIAL INFORMATION CAN BE OBTAINED.
NOTE: BEFORE ISSUING THE FOLLOWING STATEMENT THE
COURT ANNOUNCED THAT IT HAD NOT ACCEPTED ANY
INTERVENTIONS BASED ON THE METEOROLOGICAL AND
CLIMATOLOGICAL IMPACT OF THE REACTOR.

2. BEGIN INFORMAL TRANSLATION:ON THE OTHER HAND THE CHAMBER IS CONVINCED THAT THE ISSUANCE OF THE FIRST PARTIAL LICENSE TO THE DISADVANTAGE OF THE PLAINTIFF IS ILLEGAL, BECAUSE THE REACTOR DESIGN DOES NOT INCLUDE ALL PRECAUTIONS AGAINST POSSIBLE DAMAGES THAT ARE REQUIRED BY THE ATOMIC LAW. THE MAXIMUM CREDIBLE ACCIDENT THAT WOULD BE HANDLED BY THE EMERGENCY SYSTEM OF THIS LICENSED REACTOR DESIGN IS THE FAILURE OF THE PRIMARY MAIN COOLANT LOOP. THIS DESIGN COULD, HOWEVER, NOT HANDLE A BURST REACTOR PRESSURE VESSEL WITH THE SIMULTANEOUS DESTRUCTION OF THE REACTOR CONTAINMENT WHICH WOULD RESULT IN THE RAPID MASSIVE RELEASE OF HUGE AMOUNTS OF RADIOACTIVE MATERIAL. THE PROBABILITY OF SUCH AN ACCIDENT IS CONSIDERED THE 'RESIDUAL RISK' WHICH COULD BE IMPOSED ON THE POPULATION. WE BELIEVE, HOWEVER, THAT A CONSEQUENT INTERPRETATION OF THE EXISTING LAWS THAT ARE AIMED AT THE PROTECTION OF HUMAN HEALTH REQUIRES THAT REACTOR DESIGNS MUST ALSO PROVIDE FOR THE SAFE HANDLING OF SUCH AN ACCIDENT. THIS CAN ONLY BE ACCOMPLISHED BY THE INCORPORATION OF BURST PROOF REACTOR CONTAINMENT. WE RECOGNIZE THE FACT THAT SUCH AN ACCIDENT IS HIGHLY UNLIKELY, BUT IT COULD HAPPEN ANY TIME. THE SUBSEQUENT CONSEQUENCES WOULD BE TREMENDOUS BECAUSE AN EFFECTIVE EVACUATION OF THE POPULATION WOULD NOT BE POSSIBLE IN THE TIME AVAILABLE. THE CHAMBER REALIZES THAT SUCH BURST

UNCLASSIFIED

UNCLASSIFIED

PAGE 03 BONN 04688 161625Z

PROOF REACTOR CONTAINMENT IS NOT AVAILABLE FOR 1380 EMW REACTORS, BUT THEY ARE 'PART OF THE BEST AVAILABLE KNOWLEDGE'. THIS MEANS THAT THIS KNOWLEDGE HAS EITHER TO BECOME PART OF AVAILABLE TECHNOLOGY OR THE OPERATORS HAVE TO RESTRICT THEMSELVES TO THE CONSTRUCTION OF SMALLER UNITS FOR WHICH SUCH BURST PROOF CONTAINMENT IS PART OF 'BEST AVAILABLE TECHNOLOGY'. IN THIS CONTEXT WE WOULD LIKE TO REFER TO THE REACTOR WHICH WAS ORIGINALLY PLANNED FOR BASF IN LUDWIGSHAFEN. BY NO MEANS MAY IT BE CONCLUDED FROM THE CURRENT NON-AVAILABILITY OF SUCH BURST PROOF CONTAINMENT, THAT LIGHT WATER REACTORS OF THE SIZE PLANNED FOR WYHL MAY BE CONSTRUCTED WITHOUT SUCH A COMPONENT. THESE ARE IN BRIEF THE ARGUMENTS THAT UNDERLIE OUR DECISION. END INFORMAL TRANSLATION.

STOESSEL

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CONSTRUCTION, ENVIRONMENT, COURT DECISIONS, LICENSES, NUCLEAR POWER PLANTS, NUCLEAR SAFETY
Control Number: n/a
Copy: SINGLE
Sent Date: 16-Mar-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977BONN04688
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770090-0383
Format: TEL
From: BONN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770356/aaaabwnt.tel
Line Count: 115
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 16f480b7-c288-dd11-92da-001cc4696bcc
Office: ACTION EUR
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 77 STUTTGART 431
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 06-Oct-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3096656
Secure: OPEN
Status: NATIVE
Subject: COURT DECISION ABOUT CONSTRUCTION OF NUCLEAR REACTOR AT WYHL
TAGS: ENRG, TECH, GE
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/16f480b7-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009